

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHANNA CAPPOLA,

Plaintiff,

Docket No.: 22 CV 8133

-against-

NOTICE OF REMOVAL

TARGET CORPORATION AND TARGET
STORES,

Defendant.

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TO THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK:

Defendant, Target Corporation i/s/h/a Target Corporation and Target Stores (“Target”), for the removal of this action from the Supreme Court of the State of New York, County of New York, to the United States District Court for the Southern District of New York, respectfully show this Honorable Court:

FIRST: Target is a defendant in a civil action brought against it in the Supreme Court of the State of New York, County of New York, entitled:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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JOHANNA CAPPOLA,

Plaintiff,

Index No.: 152417/2022

-against-

TARGET CORPORATION AND TARGET
STORES,

Defendant.

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SECOND: Copies of the Summons and Verified Complaint in this action are annexed hereto as **Exhibit “A.”** A copy of Target’s Verified Answer is annexed hereto as **Exhibit “B.”** These exhibits constitute all pleadings served upon any party in this action. No Court Order has been issued.

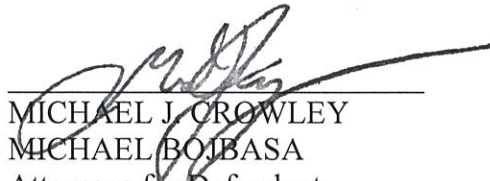
THIRD: On August 27, 2022, Plaintiff served her Verified Bill of Particulars which alleges the following injuries: left shoulder joint injection, left shoulder rotator cuff tear arthropathy, lumbar disc bulges, cervical disc bulges, head trauma, headaches, and a cerebral concussion (§9 Verified Bill of Particulars). A copy of Plaintiff’s Verified Bill of Particulars is annexed hereto as **Exhibit “C”**. In addition, Plaintiff has alleged special damages for medical expenses amounting to approximately \$19,000, with additional expenses to be claimed for four additional medical facilities at a later date (§15 Verified Bill of Particulars). Accordingly, it is clear that the amount of controversy in this matter exceeds \$75,000, exclusive of interests and costs. Less than thirty (30) days have passed since receipt of the Verified Bill of Particulars.

FOURTH: This action is one over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332, and is one which may be removed to this Court by Costco, pursuant to the provisions of Title 28 United States Code, Section 1441, in that: it is a civil action brought in a Supreme Court of the State of New York, by a citizen of the state of New York, against a foreign corporation whose principal place of business is outside of the State of New York; and the amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs.

WHEREFORE, the defendant, Target Corporation, prays that the above action now pending against it in the Supreme Court of the State of New York, County of New York, be removed from there to this Court.

Dated: New York, New York
September 23, 2022

CONNELL FOLEY LLP



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